

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: PETER N. DECONZO and	:	CHAPTER 13
DONNA DECONZO	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
PETER N. DECONZO and	:	
DONNA DECONZO	:	
Respondent(s)	:	CASE NO. 5-19-bk-01904

TRUSTEE’S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 3rd day of June, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
2. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor’s have excess non-exempt equity in the following:
 - a. Residential real estate
3. Debtor(s) have failed to file a Chapter 13 Means Test (Form 122C) as required.
4. The Trustee avers that debtor(s)’ plan is not feasible based upon the following:
 - a. Secured claims not in plan.
5. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2018 Federal Income Tax return.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 13th day of June, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Ronald Santora, Esquire
1188 Wyoming Avenue
Forty Fort, PA 18704

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee